IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

Steve Weinberg,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	**Civil Action No. 3-06-CV2332-B**
	§	**ECF**
National Football League Players Association, Richard Berthelsen, Gene Upshaw,Tom DePaso, Trace Armstrong, Roger Kaplan, John Collins, Keith Washington, Tony Agnone, Howard Shatsky, and Mark Levin,	§ § § § § § §	
	§	
Defendants.	§	

PLAINTIFF'S MOTION FOR LEAVE TO AMEND COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Steve Weinberg ("Plaintiff"), and files this, his Motion for Leave to Amend Complaint against the National Football League Players Association, Richard Berthelsen, Gene Upshaw, Tom DePaso, Trace Armstrong, Roger Kaplan, John Collins, Keith Washington, Tony Agnone, Howard Shatsky and Mark Levin ("Defendants"), and in support thereof would respectfully show unto the Court as follows:

1. Plaintiff filed his Complaint on November 17, 2006, and Defendants removed it to this Court on December 18, 2006, claiming federal question and diversity jurisdiction.

2. Plaintiff filed his Motion to Remand on January 31, 2007.

3. The crux of Plaintiff's claims in this underlying action are state law claims, distinct and independent of any federal cause of action that Defendants may conjure up.

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4. All references to the National Football League Players Association (NFLPA) Regulations are **strictly tangential** and in no way are dependant on any collective bargaining agreement.

5. On May 21, 2007, This Court ordered a hearing on the Motion to Remand, as well as Defendants' Motion to Compel Arbitration and to Dismiss.

6. Based on the pleadings and the anticipated arguments that Defendants will make at the hearing, Plaintiff believes it would be beneficial to all parties and to this Court, if he was allowed to remove tangential and (for Defendants) apparently confusing language in his First Amended Complaint.

7. Granting Plaintiff's Motion will ultimately reduces costs to all parties, promote judicial economy and will not prejudice Defendants.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Court grants his Motion for Leave to Amend Complaint, and for such other and further relief that may be awarded at law or in equity.

Respectfully submitted,

FRIEDMAN & FEIGER, LLP

By: /s/ Eugene Y. Barash
Lawrence J. Friedman
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ATTORNEYS FOR THE PLAINTIFF
STEVE WEINBERG

CERTIFICATE OF CONFERENCE

This is to certify that on June 13, 2007, counsel for Plaintiff left a voice mail with counsel for Defendants, Ralph I Miller, attempting to confer on the said motion. Mr. Miller in turn left a message on Plaintiff's counsel's voice mail informing him that he opposed the motion.

/s/ Eugene Y. Barash

CERTIFICATE OF SERVICE

On June 13, 2007, I electronically transmitted the foregoing Motion for Substituted Service using the ECF System for filing a Notice of Electronic Filing to those parties registered for ECF in this case. I further certify that the foregoing document was served on Howard Shatsky by mailing a copy of said motion by first-class mail at his last known address:

Howard Shatsky
10707 Mist Haven Terrace
Rockville, MD 20852

/s/ Eugene Y. Barash